

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:03cv00126-W**

**PETER FERRIGAN, an individual, and
WORLD WIDE CONSULTING
SERVICES, INC., a New York
Corporation;**

Plaintiffs,

vs.

**AUTOMAX, LLC., a New Jersey
Limited Liability Corporation; and
CRAIG LOCKERD; GLEN
CRAWFORD, ERNIE KASPORWICZ,
MARK RICKART, and GENE ROMO,
all individuals,**

Defendants.

ORDER

THIS MATTER is before the Court, *sua sponte*, concerning the recent filing of Plaintiffs' Amended Complaint (Doc. No. 123). On April 3, 2007, the Court ordered Plaintiffs to show cause as to why the filing of the amended pleading at this juncture was proper. (Doc. No. 125). Plaintiffs promptly and timely responded the following day and informed the Court that Plaintiffs' Motion for Leave to file the Amended Complaint had been approved on January 20, 2005, but Plaintiffs only recently discovered the actual Amended Complaint had not yet been filed. (Doc. No. 126). Accordingly, and for the reasons stated in Plaintiffs' response to the Court's Order to show cause, the Court retroactively GRANTS Plaintiffs leave to file the Amended Complaint and so deems the Amended Complaint filed.

IT IS SO ORDERED.

Signed: April 5, 2007



Frank D. Whitney
United States District Judge

